



Office of the Attorney General
State of Texas

DAN MORALES
ATTORNEY GENERAL

February 20, 1996

Mr. Robert R. Kamm
Legal Counsel
General Services Commission
P.O. Box 13047
Austin, Texas 78711-3047

OR96-0210

Dear Mr. Kamm:

You ask whether certain information is subject to required public disclosure under the Texas Open Records Act, chapter 552 of the Government Code. Your request was assigned ID# 38304.

The General Services Commission (the "commission") has received a request for several categories of information, including records concerning the investigation of a named individual. You have provided some of the information in response to the request. You have submitted various records for our review and contend that they are excepted from disclosure under section 552.111 of the Government Code.

Section 552.111 excepts from disclosure interagency and intra-agency memoranda and letters, but only to the extent that they contain advice, opinion, or recommendation intended for use in the entity's policymaking process. Open Records Decision No. 615 (1993) at 5. An agency's policymaking functions, however, do not encompass internal administrative or personnel matters. *Id.*

After reviewing the records at issue, we conclude that some of the information falls within the protection of section 552.111 because it consists of opinions and advice regarding commission policy matters. On the other hand, the remaining information pertains solely to personnel matters which fall outside the scope of section 552.111 protection. We have marked in brackets those portions of the records that the commission may withhold pursuant to section 552.111.¹

¹The requestor states that he is "not the least bit interested in Names, Addresses, Social Security Numbers, nor telephone numbers" and requests that "they be stricken from documents received." Thus,

We are resolving this matter with an informal letter ruling rather than with a published open records decision. This ruling is limited to the particular records at issue under the facts presented to us in this request and should not be relied upon as a previous determination regarding any other records. If you have questions about this ruling, please contact our office.

Yours very truly,



Loretta R. DeHay
Assistant Attorney General
Open Records Division

LRD/ch

Ref: ID# 38204

Enclosures: Marked documents

cc: Mr. Keith D. Weber
MM IV Environmental Programs Division, Asbestos
General Services Commission
P.O. Box 13047
Austin, Texas 78711-3047
(w/o enclosures)

(Footnote continued)

you need not provide to the requestor the names of individuals included in the records submitted for our review.
